IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3784 OF 2003
IN
INCOME TAX APPEAL (L) NO.1228 OF 2003

The Commissioner of Income Tax ..Applicant

Vs.

Advance Construction Co.Ltd. ..Respondent

Mr.S.M.Shah for the Applicant.
Mr.Jitendra Singh for the Respondent.

CORAM :- DR.S.RADHAKRISHNAN &
V.C.DAGA, JJ.

DATE : 18TH JUNE, 2007

P.C.

. Heard the learned Counsel for the parties. By this Notice of Motion the Applicant is seeking condonation of delay in filing the above Appeal. Perused the Notice of Motion and the affidavit-in-support thereof as well as the additional affidavit-in-support of the Notice of Motion. For the reasons stated therein sufficient cause is made out for condoning the delay in filing the above Appeal. There is no case of inaction, negligence or want of bonafide on the part of the Applicant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(V.C.DAGA,J.) **(DR.S.RADHAKRISHNAN,J.)**